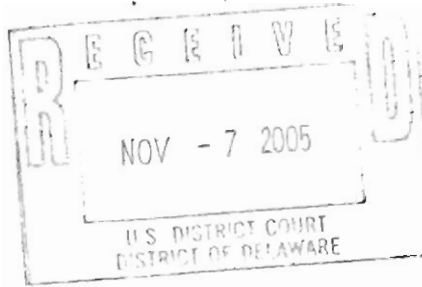


Samuel T. Poole

v.

Stan Taylor Raphel William



Civil No. 99-635

Sue L. Robinson

Petition for Writ of Habeas Corpus AD Testimonium

In the mattre of the opplication of Samuel T. Poole BN-5599, Pro Se; for and within a period of 60 days to be house's in there D.O.C. above Captioned Matter, for a Writ of Habeas Corpus AD testimonium to the (Sheriff or Attorney General Officers) To produce one Samuel T. Poole BN-5599 upon the Hearing Conference of the above entitled Action.

To the Honorable Judge:

Sue L. Robinson

Samuel T. Poole BN-5599 respectfully presents,

1. I am Samuel T. Poole, The Plaintiff in this Civil Suit and I am confined at SCI-Houtzdale, P.O. Box 1000, Houtzdale, PA 16698-1000.

2. There is nowpending in the Court of U.S. District Court in the State of Delaware. Motion has been file for Discovery and will be compel in 30 days from the time the Defendants Counsel receive it and the Judge set up a date that is and will be order by the Judge in this matter.

3. The presence of Samuel T. Poole BN-5599 (Pending Civil Suit against the defendants presented for the discovery that has been file) is material and necessary since he is procceding pro se due to his inability to hire an attorney to represent him in this matter.

Bolling v. Sharpe, 347 U.S. 497, 499, 74 S.ct. 693 (1954).

4. I, Samuel T. Poole, is entitled to the procedural Due process of an opportunity to be heard at a meaningful time and in a meaningful manner. Mathews v. Eldridge, 424 U.S. 319, 332, 96 S. ct. 893, 901, 47 L.Ed. 2d 18 (1976).

5. I, Samuel T. Poole, have the right to present evidence on his behalf and the right to confront and cross-examine witnesses and the plaintiff and defendant in this Civil Matter before this court.

Goldberg v. Kelly, 397 U.S. 254, 269, 90 S.ct. 1011, 1021, 25 L.ed. 2d 287 (1970).

6. I am requesting for a hearing for this Discovery for the above captioned Matter Civil Action requesting for a Hearing within 60 days from the time enter.

7. I, Samuel T. Poole BN-5599, file this application so I can receive the Discovery from Counsel of the Defendant.

Wherefore, Samuel T. Poole ask that a writ of Habeas Corpus Ad Testimonium Issue out of this Honorable Court to the State of Delaware Federal Court.

I hereby verify that the Statements made in the foregoing document are true and correct to the best of my personal knowledge in for motion and belief.

I under stand that any false statements made here in are subject to the penalties of perjury under 18 PA.C.S.A. §4904 relating to unsworn falsification to authorities.

Respectfully submitted,

Samuel T. Poole

No. BN-5599

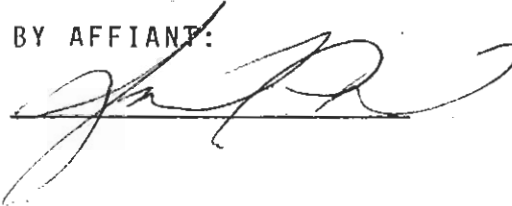
Dated _____

AFFIDAVIT AND PROOF OF SERVICE

NOW COMES, Samuel T. Boale AND AFIRMS THAT HE IS THE LITIGANT IN THE AFORE CAPTIONED AND ATTACHED MATTER, THAT THE WITHIN AVERMENTS AND FACTS IN SUPPORT THEREFORE ARE TRUE AND CORRECT TO THE BEST OF HIS PERSONAL EXPERIENCE, RECALL, KNOWLEDGE AND BELIEF, UNDER PENALTY FOR PERJURY. HE FURTHER AFFIRMS AND AVERS THAT HE HAS SERVED COPIES OF THE FOREGOING AND ATTACHED DOCUMENTS BY FIRET-CLASS MAIL TO THE PARTIES LISTED BELOW, BY HAVING PLACED THEM IN THE HANDS OF PRISON AUTHORITIES FOR MAILING, AS RULED PROPERLY AND TIMELY "FILED" BY AND IN HOUSTON vs LACK, 108 s. ct 2379, at 2383 (1988).

I CERTIFY THAT THIS DOCUMENT WAS GIVEN TO PRISON OFFICIALS, FOR THE FORWARDING TO THE SAID COURT. I CERTIFY UNDER PENALTY OF PERJURY THAT THE FOREGOING IS TRUE AND CORRECT. 28 U.S.C. SEC. 1746.

BY AFFIANT:



CC:

SUBSCRIBED AND SWORN TO ME

THIS 3 DAY OF 11, 2001

1 copy Certified and Reg mail

Richard W. Hubbard

820 N. French St

Wilmette

19801

NAME Samuel T. Pak
NUMBER 131559
P.O. BOX 1000
HOUTZDALE PA 16698-1000

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X-RAY

Dept of Corrections
Inmate Mail



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